

# Quid Novi

VOL. IX NO.1

McGILL UNIVERSITY FACULTY OF LAW  
FACULTE DE DROIT DE L'UNIVERSITE MCGILL

September 19, 1988  
le 19 septembre 1988

## A WELCOME BACK POEM (AND A WARM HELLO TO FIRST YEAR STUDENTS)

(A poem about Professor Paul-Andre Crepeau to be sung to the tune of "Puff the Magic Dragon")

by Judy Knight B.C.L.II

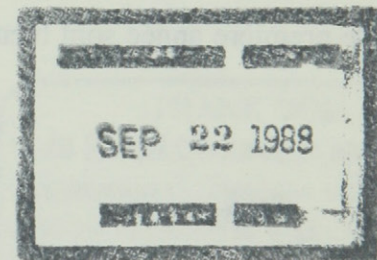
P.-A.C. the great Civilian  
Lived by the Code.  
He carried it, and coddled it,  
Where'er he walked and rode.

P.-A. C. the great Civilian  
Taught by the Code.  
He drafted it and crafted it;  
Carried it atop his load.

Together they would travel,  
Searching for a breach  
Of pre-existing duty -  
Whose remedy they'd teach.

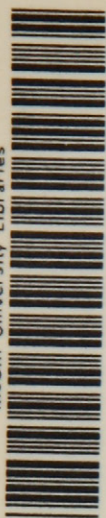
His classes were delict-able,  
And quasi-interesting too.  
He taught his first year students  
What to do and not to do.

*Pacta sunt servanda,*  
And P.-A.C. *servandus est!*  
So when he asked us for those facts  
We had to speak our best!



Cont'd on p.3





# ANNOUNCEMENTS

## Forum National

Forum National is holding its first meeting on Wednesday, Sept. 21st at 12:30 in room 203. Get involved in the faculty's guest speaker club. First year students are more than welcome.

Forum National organise sa première réunion mercredi le 21 septembre prochain à 12h30 au local 203. Impliquez-vous dans l'organisation de conférences à la faculté.

Les étudiants de première année sont bienvenus.

\*\*\*

## Computer Seminars

by John Godber

Every Wednesday afternoon this year, from 2 to 5 p.m., John Godber will be giving a computer seminar touching upon word processing, Quicklaw and Soquij data retrieval. These seminars are open to all interested students and professors, however until November 1st they will be limited to 2nd, 3rd and 4th year students, graduate students and professors.

1st year students will be given their own sessions in October as part of their tutorial program.

The seminars will be given in the Library at the Computer Lab and will be limited to groups of 10 for now. A sign-up list will be posted at the circulation desk of the Library.

If you would like computer instruction and cannot attend a Wednesday afternoon session contact John Godber by leaving a message at the circulation desk.

\*\*\*

## Librairie de l'A.E.D.

Bienvenue à tous!!!

Nouveau trimestre! Nouvelles heures d'ouverture!

Lundi et jeudi—9h00 à 10h45

Le magasin de livres est géré bénévolement par les étudiants(es) en droit de McGill. Ceci explique le fait que le magasin soit ouvert quelques heures par semaine et que les livres soient moins chers qu'ailleurs!!! Si vous ne pouvez pas acheter vos livres à ces heures, demandez à un(e) ami(e) de le faire pour vous durant les heures régulières.

Merci!!!

Politique de retour: Les livres qui peuvent être retournés doivent l'être en dedans des deux semaines qui suivent la date de l'achat et ceci seulement avec un reçu.

Welcome!!!

New semester! New business!

Monday and Thursday—9:00 - 10:45

The bookstore is run by law students on a voluntary basis. This explains why the bookstore is open only a few hours a week and why

you can purchase your materials at prices cheaper than anywhere else!!!

If you cannot buy your books during regular hours, ask a friend to do it for you. Thank you!!!

Return policy: The books that can be returned must be returned within two weeks of the purchase date and only with a receipt.

\*\*\*

## Alliance française

by Marie Normandin

There is a new group in the McGill Law Faculty!!!

C'est l'Alliance française de la faculté de droit dont le but est de promouvoir la langue et la culture françaises à la faculté.

It is a group that will encourage a greater participation of the francophones in the faculty and enhance the conversational skills of those who would like to acquire a better working knowledge of French.

Les réunions et les activités de ce groupe se tiendront en français, de préférence.

Une invitation est lancée à tous(tes) les intéressés(es)!!!

*1ère réunion:* le mercredi, 21 septembre à 12:00, au local 202.



# A vos marques..

par Jeanne Cadorette

Ce reportage sur les Jeux Olympiques de la session d'automne 1988 vous parviendra directement de la Faculté de droit de McGill. Nos journalistes seront à l'affût et veilleront à vous faire parvenir des articles inédits sur les performances de nos athlètes-étudiants.

L'étude du droit est un sport qui demande beaucoup de concentration et de souplesse (d'esprit...). L'équipe du Quid souhaite donc à nos recrues et à nos vétérans le plus de succès possible dans les différentes disciplines auxquelles ils participeront. Que vous préfériez les marathons (lire "essays") ou les sprints en période d'examen, que vos qualités soient plus remarquées en gymnastique intellectuelle ou en plongeon dans les eaux

## Graduate studies/Court clerkships

Information session: Graduate studies/court clerkships.

Monday, Sept. 19th at 5:00 p.m. in the Common Room there will be an information session for all students interested in graduate studies in law or court clerkships. If you want to know about the opportunities (and money) available, come along. Please be punctual.

Prof. Jeremy Webber

parfois troubles des courants de jurisprudence, vous aurez tous une place dans l'équipe de la faculté.

Les athlètes sont déjà sur le terrain, les entraîneurs sont impatients de mettre leurs théories en pratique.

Alors à vos marques, prêts...partez!!

## Lawyers for Social Responsibility

by Colin Baxter, Charles O'Brien, Garth Wallbridge, Anjali Choksi

The Lawyers for Social Responsibility and the Physicians for Global Peace will be holding a coffeehouse in the common room on Thursday Oct. 6th. Proceeds will go to the Bangladesh Relief Fund and to purchase a copy of Savard's text *Global Military Expenditures 1988* for every highschool in Canada. As well, LSR is donating the following books to the law library:

*The Fate of the Earth* by J. Schell.  
*The Dangers of Nuclear War* by Griffiths and Polyani.  
*Nuclear Nightmares* by N. Calder.  
*Lawyers and Nuclear Arms* by M. Gouin and M. Cohen.

Please note also that LSR's first meeting will be held Wednesday Sept. 21st at 12:00 in the Common Room. All new members welcome.

Welcome Back  
cont'd from p.1

Only very rarely  
Did P.-A. C. let out a roar -  
discussing certain cases where  
*Res ipsa loquitur*.

His head did bend in sorrow,  
His tears did fall like rain,  
When *Grieco* and *Wabasso* were  
tried on a delictual plane.

Codes can stay forever;  
Not so dear old P.-A.C.  
But tho' he's on sabbatical,  
We do hope he'll be back.

For now that we're in common law,  
We admit it's P.-A.C. we miss -  
The intensity of those classes, and  
*Auctoritatem rationis!*

## THANK YOU

to all Social Committee and  
Orientation Committee volunteers  
who contributed in making the  
Dean's Reception such a smashing  
success.

Dimitri Mastrocola  
L.S.A. Social Coordinator

## Legal Theory Workshop

"Legal Indeterminacy" Prof. Ken Kress (College of Law, University of Iowa).

Friday Sept. 23rd, 1988 at 12:00 in room 202.

All students are welcome. There is a copy of Prof. Kress' paper on reserve in the Law Library.



Quid Novi is published weekly by students at the Faculty of Law of McGill University, 3644 Peel Street, Montreal, H3A 1W9. Production is made possible by support of the Dean's office and by direct funding from the students. Opinions expressed are those of the author only. Contributions are published at the discretion of the editor and must indicate author or origin.

Editor-in-Chief                      Jeanne  
Rédactrice-en-chef                  Cadorette

Associate Editor                      Ron  
Rédacteur adjoint                  Lauenstein

English Editor  
Rédacteur anglais

French Editor  
Rédactrice française

Production Manager                  Alessandra  
Directeur de gestion                  Massobrio

Contributors/  
Participants                          Phillip Pike

*Quid Novi* est une publication hebdomadaire assurée par les étudiants de la faculté de droit de l'université McGill, 3644 rue Peel, Montréal, H3A 1W9. La publication est rendue possible grâce à l'appui du bureau du doyen, ainsi que par le financement individuel des étudiants. Les opinions exprimées sont propres à l'auteur. Toute contribution n'est publiée qu'à la discrétion du comité de rédaction et doit indiquer l'auteur où son origine.

# le MUSE: pas amusant de tout

de Gary F. Bell

Le système des bibliothèques de McGill se dotait, l'an dernier, d'un index informatisé appelé "Muse". Progrès, direz-vous. Je me dois cependant de constater que cette muse moderne est, pour notre faculté, un grand pas en arrière. La muse Érato, déesse de l'élégie, m'inspire cette plainte que je vous partage: la nouvelle muse va à l'encontre du caractère bilingue et bijuridique que veut se donner cette faculté.

En effet, le nouvel index brille par son unilinguisme. Dès l'abord, cette muse ne nous parle qu'en anglais. Et on a beau lire et relire les écrans, jamais nous n'avons droit à la politesse d'un "si vous désirez des renseignements en français, pressez sur F".

Cela devient encore plus grave lorsqu'on utilise l'index sujet. Un exemple concret: si vous tapez "s=immeubles", l'ordinateur vous répond "No entries found". Aucune aide pour le francophone, pas même de "see immoveables" (ou serait-ce plutôt "immoveable", sans "e" avant le "a", les américains ayant conçu les vedettes matières ignorant tout de notre code civil?)

Pourtant, il eut été simple de faire fonctionner cet index en français: quelques traductions et quelques heures de dactylographie. D'autant plus simple que l'Université Laval a déjà traduit et adapté le système du Congrès qu'utilise notre bibliothèque.

Il est assez surprenant qu'une université ait dit vouloir offrir des services en français à ses 25% de francophones n'ait pas juger bon de leur offrir un service de bibliothèque français. La bibliothèque n'est-elle pas au coeur même de toute vie universitaire.

Si cette politique est surprenante de la part de notre université anglophone, au sein de notre faculté bilingue, elle devient absolument inacceptable.

Une autre situation est inacceptable: cette muse n'est pas civiliste, elle ne connaît que la common law. En effet, on a adopté l'aveuglement et sans aucune adaptation le système du Congrès, un système américain de common law et pour qui le droit civil est un droit étranger incompris et un peu hurluberlu. Ainsi c'est sous "torts" que l'on peut retrouver La responsabilité civile délictuelle du professeur Beaudoin!

Il en résulte que pour trouver nos documents de droit civil, il faut être spécialiste en droit comparé. Et encore là on risque de ne rien trouver.

Notre faculté n'a malheureusement aucun contrôle direct sur l'administration de la bibliothèque de droit. J'espère cependant que des démarches seront entreprises auprès des responsables de la bibliothèque afin que cette situation déplorable soit corrigée.



# COMPUTING FACILITIES IN THE FACULTY

Several changes have been implemented for the up-coming school year regarding the computing facilities within the faculty. These have been summarized, along with the current policies, in the article that follows. Please read this carefully. Any questions may be directed to members of the L.S.A. Computer Committee whose names may be found undersigned.

## First Year Students

First year students need not panic at this stage. You must be sure to buy a valid user card, but the tutorial course now covers basic instruction in the use of the computing facilities. This instruction covers both wordprocessing, and using the legal data bases "Quick Law" and "SOQUIJ." No need to worry. Really.

## General Information

The regulations and policies of the Computer Committee are summarized in the following rules. These policies will be posted in the library, and are subject to change. Notice of any changes in policy will be printed in the QUID NOVI.

## RULES FOR USE OF THE COMPUTER FACILITIES FACULTY OF LAW, MCGILL UNIVERSITY

September, 1988

### Eligibility

1. The LSA Computer facilities, which are located on the fourth floor of the Law library, are for the exclusive use of McGill Law students and researchers.
2. All users must purchase a "User Card". These are available at the Bookstore or from the Library, and cost ten dollars a semester (twenty dollars for graduate students). These cards help cover the cost of maintenance and supplies.

### Use of the Computers

3. A red AED/LSA plaque must be clearly visible whenever a computer is in use. These plaques are available from the reserve librarian, upon presentation of a "User Card" and a valid McGill I.D.
4. Software packages are available from the reserve librarian. These should be borrowed when presenting one's "User Card" to obtain the red LSA/AED plaque for the front of the computer being used. All software and plaques must be returned before leaving the library.
5. Users may sign up (at the Law library) in advance for up to two hours of computer time per day. When the machines have not been reserved, use is on a first-come, first-served basis.

sion 4.2, English w/ Thesaurus, Speller, DOS;

7 to 9 - WordPerfect version 4.2, Français, w/Thesaurus, Speller, DOS;

11 - WordPerfect version 4.2, English, Learning Disk; and,

12 - WordPerfect version 4.2, English, for use with H.P. Laserjet printer.

These WordPerfect system disks need no longer be started from DOS. Users can simply insert the WordPerfect system disk (labelled as: "DOS 3.2 / WP 4.2 / System) in Drive A, and their own file disk in Drive B, turn on the machine, and enter the date and time as usual. The new software will then boot itself. There is no longer any need to turn on the machine with the DOS disk first. (The DOS disk is nevertheless included in all software packages for those who understand and wish to use its functions.) Users of the new English WordPerfect 4.2 will then be asked to enter a "user name." Just enter any name, but try to use the same three letters always. (For the technically minded, the new

system keeps working files on the user's disk, and keeps track of them by this name) If WordPerfect asks if any other programs are running at the same time, answer "no." Users are advised to always exit the WordPerfect system properly (via F7) to avoid future difficulties.

The French versions of WordPerfect ("Mot Parfait"?) have not changed, except that they are now autobooting as well.

The Computer Committee is authorized by WordPerfect to make only a limited number of copies of the system program. Users are reminded that no unauthorized reproductions of the program may be made.

### A Final Word

Computing facilities is a privilege that the Law students use and enjoy frequently. The machines are extremely expensive to acquire and maintain, however, and should not be taken for granted. Please treat them with care and please treat the rules with respect. It is amazing how fast a privilege like this can disappear through a want of care or responsibility.

Should there be any questions, please do not bother the library staff. The members of the Computer Committee are available to answer any questions, or help solve problems (computer problems only).

Thank-you, and have a pleasant year,

The Computer  
Committee.

Colin Baxter,  
( Chairperson )  
Louis Belzil  
Richard Aronoff

Faculty Advisor

Prof. R. Simmonds



U.S. judge won't allow lawyer to use Ms.

(New York Times, July 14th, 1988.)

A 73-year-old federal judge has told a lawyer that he does not allow anyone to "use that Ms." in his courtroom, ordered her to use her married name or go to jail, and found her colleague in contempt for protesting. A few days afterward, in the courtroom, he asked if he could call her "sweetie."

"Do what I tell you or you're going to sleep in the county jail tonight," the judge, Hubert I. Teitelbaum, told the lawyer, Barbara Wolvovitz. "You can't tell me how to run my courtroom."

The judge told Ms. Wolvovitz, 36-year-old, whose husband, Jules Lobel, is a University of Pittsburgh law professor, that she must go by the name Mrs. Lobel in his courtroom.

When her co-counsel, Jon Pushinsky, protested, Judge Teitelbaum found him in contempt of court for "officious intermeddling" and gave him a suspended sentence of 30 days in jail. He later retreated.

Judge Teitelbaum told Ms. Wolvovitz last Friday that Mrs. Lobel is her legal name "under the laws of the state of Pennsylvania."

"And that's what I want you to be, to call yourself from here on in this courtroom," he said. "That's an intolerable kind of thing."

The judge asserted that a married woman must petition the Common Pleas Court for permission to use her maiden name. The Pennsylvania Family Law Practice and Procedure Handbook says no legal proceedings are required if a woman chooses to use her maiden name.

"What if I call you sweetie?" Judge Teitelbaum, a former United States Attorney who was appointed to the Federal bench by President Nixon in 1970, said when the trial resumed Monday.

She began to answer what she would prefer when he interjected, "I'll just refer to you as counselor."

The trial began June 23, but the issue of "Ms." in Judge Teitelbaum's court never arose before Friday.

Ms. Wolvovitz said she would not decide whether to file a complaint against the judge until after the jury reaches a verdict in the case. It began deliberating Wednesday.

According to the American Bar Association, Ms. Wolvovitz could file a complaint with the United States Court of Appeals for the Third Circuit, in Philadelphia. The chief judge could handle the matter himself or take it up before the circuit council, which could then decide to publicly or privately admonish him, according to Ernest Zavodnyk of the bar association's judicial administration division in Chicago.

"I never thought he was such a Neanderthal," said the president of the National Organization for Women, Molly Yard, who lives in Pittsburgh and is familiar with Judge Teitelbaum. "I can't understand how anybody who's bright enough to be on Federal court can make such an error in judgment."

She said she would get in touch with the organization's southwestern Pennsylvania council to look into the incident.